

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE
NO. 04-10060 RCL

GEORGE SCHUSSEL
Defendant

REPORT & ORDER ON
INITIAL STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On April 15, 2004, the parties appeared before this Court for an Initial Status Conference. With regard to the following issues, the parties have represented that:

1. Unusual or complex issues presented include the government's request for documents from the defendant's prior attorney, on the basis of the crime fraud exception to the attorney-client privilege, which defense counsel will oppose. In that the timing of the litigation is uncertain, the parties will not yet request an early joint conference of the District Judge or the Magistrate Judge with the attorneys;
2. Features of the case that deserve special attention or modification of the standard schedule include voluminous discovery and pre-trial motions regarding potential attorney-client privilege, suppression, and possible statute of limitations defense;
3. There is anticipated supplemental discovery;
4. Discovery concerning any expert witnesses pursuant to Fed. R. Crim. P. 16 (a)(1)(E) & 16(b)(1)(C) will be provided by the government no later than sixty (60) days before trial and the defendant will provide expert discovery no later than thirty (30) days before trial;
5. The applicable periods of excludable delay under the Speedy Trial Act include: March 8, 2004 through April 15, 2004 (39 days) and April 15, 2004, through May 28, 2004 (43 days), for a total of eighty-two (82) days as of April 30, 2004. The total amount of time to proceed to trial is seventy (70) days;
6. Trial is anticipated at this time. The estimated duration of a trial is three (3) to four (4) weeks;

7. There are no other matters.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12 (c) has not yet been established. An **Interim Status Conference** is scheduled at **2:45 p.m.** on **May 28, 2004**, in Courtroom 24, 7th floor.

Pursuant to LR 116.5 (C), parties shall confer and, not later than three (3) business days before the Final status Conference, prepare and file a joint Final Status Conference Memorandum.

HONORABLE JOYCE LONDON ALEXANDER
U.S. MAGISTRATE JUDGE

By the Court:

April 30, 2004
Date

/S/ Rex Brown
Courtroom Clerk
(617) 748-9238